

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TAMEKA SIMMONS,

Plaintiff,

v.

AKIN GUMP STRAUSS HAUER & FELD LLP,

Defendant.
-----X

10cv8990 (JSR) (RLE)

DEFENDANT'S NOTICE OF MOTION

Defendant Akin Gump Strauss Hauer & Feld LLP respectfully provides notice of its filing of a Motion for Summary Judgment pursuant to the Individual Rules of Practice of the Honorable Jed S. Rakoff (Rule 2(d)) and the Civil Case Management Plan entered in this case. The motion will seek judgment on Plaintiff's race discrimination claims pursuant to Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*; the New York State Human Rights Law, Executive Law § 296 *et seq.*; and the Administrative Code of the City of New York § 8-101 *et seq.* (Counts I, III, V, and VII of the Amended Complaint) and Plaintiff's claim pursuant to the Family and Medical Leave Act of 1993, 29 U.S.C. §2601 *et seq.* (Count IX of the Amended Complaint).¹

The Civil Case Management Plan has set the briefing and argument schedule for this Motion as follows:

April 1, 2011

Defendant's Motion for Summary Judgment

¹ The Court dismissed Plaintiff's retaliation claims pursuant to Section 1981 of the Civil Rights Act of 1866, Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, and the Administrative Code of the City of New York (Counts II, IV, VI, and VIII of the Amended Complaint) on February 2, 2011.

April 25, 2011 Plaintiff's Opposition

May 2, 2011 Defendant's Reply

May 9, 2011 4:00 p.m. Oral Argument

DATED: March 28, 2011

Respectfully submitted,

/s/ Christine Nicolaides Kearns

Christine Nicolaides Kearns (admitted pro hac vice)

Rebecca Carr Rizzo (admitted pro hac vice)

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COUNSEL FOR AKIN GUMP

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of March, 2011, the foregoing Notice of Motion was served through the Court's electronic filing system on the following counsel of record:

Debra L. Raskin
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/s/ Christine Nicolaides Kearns
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